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ATTORNEY FOR PLAINTIFF UNITED STATES OF AMERICA

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA BILLINGS DIVISION

UNITED STATES OF AMERICA, MJ-15-60-BLG-CSO

Plaintiff,

VS.

JESUS YEIZON DENIZ MENDOZA,

Defendant.

UNOPPOSED MOTION TO

RE-SET PRELIMINARY

**HEARING** 

The United States of America, represented by Lori Harper Suek, Assistant United States Attorney for the District of Montana, respectfully requests that the Court reset the preliminary hearing currently scheduled for August 5, 2015.

The reason for this request is that counsel for the United States is out of town on August 5, 2015, for a previously scheduled court commitment. Counsel for Mr. Deniz Mendoza is unavailable on August 6, 2015. Consequently, the United States and the defendant request a date on August 7, 2015, or a date thereafter to be set at the Court's convenience. The hearing must be held on or before August 14, 2015. *See* Fed. R. Crim. P. 5.1(c).

Counsel for defendant, Steve Babcock has been contacted and has no objection to the continuance.

DATED this 31st day of July, 2015.

MICHAEL W. COTTER United States Attorney

<u>s/Lori Harper Suek</u>LORI HARPER SUEKAssistant U.S. Attorney